Remarks/Arguments

Claims 1-5 and 7-12 are pending.

The claims have been amended to more clearly and distinctly recite the subject matter that applicant regards as his invention. Claim 5 has been amended to recite the step of receiving from a digital video disc coupled to the digital video disc player an MPEG-PS digital stream. Claim 10 has been amended to recite "said formatted program stream." Applicant submits that the objection to claims 5 and 10 are overcome in view of these amendments. No new matter is believed to be added by the present amendments.

Rejection of claims 1-4 and 8-9 under 35 USC 103(a) as being unpatentable over Komeno in view of Stahl et al.

Applicant submits that for the reasons discussed below present claims 1-6 and 8-9 are patentably distinguishable over the combination of Komeno and Stahl.

Present claim 1 is directed to a method for operating a digital video processing apparatus comprising the steps of:

> (a) receiving from said digital video disc player, via said digital bus, a program content stream representative of a video program stored on a disk coupled to said digital video disc player, said program content stream including data in a compressed format, said program content stream being received via a **first type of transfer mechanism**;
>
> (b) **decoding said program content stream** in said digital video processing apparatus;
>
> (c) receiving from said digital video disc player, via said digital bus, bit-map data representative of a subpicture associated with said program content stream, said bit-map data being suitable for display, said bit-map data being received via a **second type of transfer mechanism**...

Claim 3 recites similar limitations in apparatus form. Applicant submits that the combination of Komeno and Stahl et al fail to disclose or suggest all of the above-noted features of claims 1 and 3.

Komeno discloses a system that enables a user to easily determine and view programs stored in an image storage device. In that regard, Komeno teaches transmitting, to an image display control circuit 13, a menu image from a menu display part 18, picture images from selected picture image display part 21, and picture images from display determining part 23. The menu image provides a list of the programs stored on the storage device (col. 5, lines 60-65). The selected picture image display part provides a sequence of pictures associated with a program that corresponds to the current position of the cursor (col. 8, lines 16-22). The image display control circuit 13 generates the image shown on the display device 11 based on the video signals received from parts 18, 21 and 23.

The Office Action acknowledges that Komeno fails to teach that "... the compressed data is expanded in the digital processing apparatus and the program content and bitmap are transmitted to the processing apparatus by a first type mechanism and second type mechanism. (OA page 4, last paragraph)"

However, Applicant submits that in addition to the above-mentioned features, Komeno also fails to teach or suggest that the bitmap data is representative of a **subpicture** associated with the received program content stream.

The Stahl et al. reference is cited as providing the elements missing in the Komeno reference. However, as discussed in Applicant's previous response dated October 1, 2004, Stahl fails to teach or suggest transferring bit map data representative of a subpicture associated with the program content stream.

Stahl relates to a system for providing a minimal level of interoperability for exchanging A/V content and associated control between devices coupled via a digital bus. More specifically, Stahl relates to using standard control language to transfer universal remote control message across the digital bus (col. 2, lines 22-37). In this regard, the bit-mapped menu mentioned in Stahl refers to an On Screen Display associated with **controlling the operation of the device, not to a subpicture associated with the program content stream**. These are different displays.

In view of the above, it is clear that even if Komeno and Stahl are combined in the manner suggested, the combination still lacks a notable feature of the present claims. That is, the combination still fails to teach or suggest receiving bit

map data is representative of a subpicture associated with the program content stream, the data being transferred via a second transfer mechanism. As such, applicant submits that present claims 1-4 and 8-9 are patentably distinguishable over the suggested combination of Komeno and Stahl.

Furthermore, applicant submits that it is improper to combine Komeno and Stahl in the manner suggest since neither reference teaches or suggests such a combination.

Komeno is directed to the problem of providing an interface to enable a user to easily navigate through video content stored on an image storage device. In that regard, Komeno provides a display that includes a menu portion 12a and a picture portion 12b. The image signals that correspond to the menu portion 12a and picture portion 12b are provided by the various display parts and combined by the image display control circuit 13.

Stahl by contrast is directed to the problem of providing interoperability between devices connected via a digital bus. The digital bus enables the exchange of standard control language between the devices as well as encoded program data and bit mapped data.

The two references are directed to entirely different problems and nothing in either reference provides any teaching or suggestion why it would be desirable to combine the references in the manner suggest. As such, Applicant submits that the suggested combination constitutes impermissible hindsight reconstruction without support in the references.

In view of the above, applicant submits that present claims 1 and 3, and the claims that depend therefrom, are patentably distinguishable over the cited combination of references.

Rejection of claims 5, 7 and 10-12 under 35 USC 103(a) as being unpatentable over Komeno in view of Stahl et al. and Yanagihara et al.

Applicant submits that for the reasons discussed below present claims 5, 7 and 10-12 are patentably distinguishable over the cited prior art references.

Present claim 5 is directed to a method for operating a digital video disc player and recites transmitting a digital stream via an isochronous channel and transmitting bit-mapped digital data via an asynchronous channel, the bit-mapped

digital data being representative of a subpicture stream associated with the digital stream. Claim 10 recites a transfer of the program content stream via a first type of transfer mechanism and a transfer of the bit map data via a second type of transfer mechanism, the bit map data representing subpicture information.

For the reasons discussed above with respect to claims 1 and 3, applicant submits that present claims 5 and 10 are patentably distinguishable over the combination of Komeno and Stahl.

Yanagihara is cited as teaching a disc player having a converter for converting an MPEG-PS to MPEG-TS. However, applicant submits that even if the additional teachings of Yanagihara are admitted, the addition teachings fails to cure the defect of Komeno and Stahl as applied to claims 5 and 10. Therefore, applicant submits that claims 5 and 10, and the claims that depend therefrom, are patentably distinguishable over the combination of Komeno, Stahl et al., and Yanagihara.

Having fully addressed the Examiner's rejections, Applicant submits that the present application is in condition for allowance and respectfully request such action. No fee is believed due in regard to the present amendment. However, if a fee is due, please charge the fee to Deposit Account 07-0832. Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-6815.

Respectfully submitted,
T. Stahl

By: Paul P. Kiel
Attorney for Applicant
Registration No. 40,677

THOMSON Licensing Inc.
PO Box 5312
Princeton, NJ 08543-5312

Date: 6/9/05

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

6/9/05
Date

Linda Tindall
Linda Tindall